

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HAMBRECHT WINE GROUP, L.P. d/b/a
BELVEDERE WINERY, L.P.

Plaintiff,

v.

MILLENNIUM IMPORT LLC

Defendant.

CASE NO. CV C 05 4625 JW HRL

STIPULATION AND ORDER
SELECTING ADR PROCESS

I. ADR PROCESS

The parties hereby stipulate to participate in the ADR process checked below (*select one court-connected or private process*).

Court-connected ADR processes:

- ☐ Arbitration
- ☐ Non-binding
- ☐ Binding
- ☐ Early Neutral Evaluation (ENE)
- ☐ Early Settlement Conference with a Magistrate Judge
- ☐ Mediation

Private ADR process:

☒ Type of Process: Private Mediation

Name, address and phone number of private provider:

The parties intend to use a mutually agreeable neutral from
JAMS or comparable private provider to conduct a
mediation after necessary discovery is completed.

STIPULATION AND ORDER SELECTING ADR PROCESS

1 **II. TIMING FOR ADR PROCESS**

2 ☐ **Cases in ENE or Mediation (or similar private process):**

3 The parties shall conduct the ADR session by _____ (no later than
4 90 days after the date set for the first Case Management Conference unless otherwise
5 ordered under General Order 36, § VII.D.)

6 ☐ **Cases in Arbitration (court-connected or private):**

7 The parties shall conduct the Arbitration by _____ (no later than 135 days
8 after the date set for the first Case Management Conference unless otherwise ordered --
9 the clerk will send the parties a list of arbitrators for ranking within 10 days after the
10 Case Management Conference.)

11 **III. OTHER STIPULATIONS** (e.g. regarding additional disclosures and/or discovery
12 before the ADR session, issues to be addressed in ADR session, etc.)

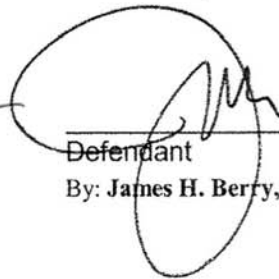
13 The parties agree that due to the nature of this trademark and contract action, substantial
14 additional discovery (including depositions of multiple party-affiliated and third-party witnesses
15 and additional document and written discovery) must be completed before it will be possible to
16 conduct a meaningful mediation. The parties will schedule a mediation to take place upon
17 completion of required pre-mediation discovery.

18 Dated: April 28, 2006

19 

20 Plaintiff
21 By: Erik Paul Belt of Bromberg & Sunstein LLP

22 Dated: April 28, 2006

23 

24 Defendant
25 By: James H. Berry, Jr. of Berry & Perkins APC

26 IT IS SO ORDERED.

27 Dated: 05/03/06

28 
United States District Judge